

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: <u>6/5/2025</u>

UNITED STATES OF AMERICA

- v. -

JULIUS DELGADO,

Defendant.

: CONSENT PRELIMINARY ORDER  
OF FORFEITURE AS TO  
SPECIFIC PROPERTY

: 25 Cr. 79 (CM)

:  
x

WHEREAS, on or about February 27, 2025, JULIUS DELGADO (the “Defendant”), was charged in a one-count Indictment, 25 Cr. 79 (CM) (the “Indictment”), with possession of a firearm and ammunition after a felony conviction, in violation of Title 18, United States Code, Section 922(g)(1) (Count One);

WHEREAS, the Indictment included a forfeiture allegation as to Count One, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), of any and all firearms and ammunition involved in or used in the offense charged in Count One of the Indictment, including but not limited to the following:

- a. A Taurus PT709, 9mm pistol, with defaced serial number TRF03253 (the “Firearm”);
- b. Six rounds of Perfecta 9mm luger caliber cartridges (the “Ammunition”);

WHEREAS, on or about JUN 5 2025, the Defendant pled guilty to Count One, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Count One and agreed to forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States, Section 2461(c), all right, title, and interest of the Defendant in the following property seized by the Government on or about

July 18, 2024, from the Major Deegan Expressway near the overpass at West 225th Street, Bronx, New York:

- a. the Firearm;
- b. the Ammunition; and
- c. one Taurus magazine;

(a. through c., collectively, the “Specific Property”);

WHEREAS, the Defendant consents to the forfeiture of all his right, title, and interest in the Specific Property as being involved in the offense charged in Count One of the Indictment; and

WHEREAS, pursuant to Title 21, United States Code, Section 853(g), and Rules 32.2(b)(3) and 32.2(b)(6) of the Federal Rules of Criminal Procedure, the Government is now entitled, pending any assertion of third-party claims, to reduce the Specific Property to its possession and to notify any and all persons who reasonably appear to be a potential claimant of their interest herein;

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Jay Clayton, United States Attorney, Assistant United States Attorney Angela Zhu, of counsel, and the Defendant and his counsel, Michael Rooney, Esq., that:

1. As a result of the offense charged in Count One of the Indictment, to which the Defendant pled guilty, all of the Defendant’s right, title, and interest in the Specific Property is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of Title 21, United States Code, Section 853.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture as to the Specific Property is final as to the Defendant

JULIUS DELGADO and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. Upon entry of this Consent Preliminary Order of Forfeiture as to the Specific Property, the United States Marshals Service (or its designee) is hereby authorized to take possession of the Specific Property and to hold such property in its secure custody and control.

4. Pursuant to Title 21, United States Code, Section 853(n)(1), Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure, and Rules G(4)(a)(iv)(C) and G(5)(a)(ii) of the Supplemental Rules for Certain Admiralty and Maritime Claims and Asset Forfeiture Actions, the United States is permitted to publish forfeiture notices on the government internet site, www.forfeiture.gov. This site incorporates the forfeiture notices that have been traditionally published in newspapers. The United States forthwith shall publish the internet ad for at least thirty (30) consecutive days. Any person, other than the Defendant, claiming interest in the Specific Property must file a Petition within sixty (60) days from the first day of publication of the Notice on this official government internet web site, or no later than thirty-five (35) days from the mailing of actual notice, whichever is earlier.

5. The published notice of forfeiture shall state that the petition (i) shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the Specific Property, (ii) shall be signed by the petitioner under penalty of perjury, and (iii) shall set forth the nature and extent of the petitioner's right, title, or interest in the Specific Property, the time and circumstances of the petitioner's acquisition of the right, title, and interest in the Specific Property, any additional facts supporting the petitioner's claim, and the relief sought, pursuant to Title 21, United States Code, Section 853(n).

6. Pursuant to Rule 32.2(b)(6)(A) of the Federal Rules of Criminal Procedure, the Government shall send notice to any person who reasonably appears to be a potential claimant with standing to contest the forfeiture in the ancillary proceeding.

7. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture with respect to the Specific Property pursuant to Title 21, United States Code, Section 853(n), in which all interests will be addressed.

8. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate, or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents, and the issuance of subpoenas.

9. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture as to the Specific Property, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

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10. The signature page of this Consent Preliminary Order of Forfeiture as to the Specific Property may be executed in one or more counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

JAY CLAYTON  
United States Attorney for the  
Southern District of New York

By: Angela S.  
ANGELA ZHU  
Assistant United States Attorney  
26 Federal Plaza  
New York, NY 10278  
(212) 637-1027

5/7/2025  
DATE

JULIUS DELGADO

By: Julius Delgado  
JULIUS DELGADO

6/5/2025  
DATE

By: Michael Rooney  
MICHAEL ROONEY, ESQ.  
Attorney for Defendant  
52 Duane Street, 10th Floor  
New York, NY 10007

6/5/2025  
DATE

SO ORDERED:

Colleen McMahon  
HONORABLE COLLEEN McMAHON  
UNITED STATES DISTRICT JUDGE

6/5/2025  
DATE